

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ROCHELLE DANIEL,

Plaintiff,

v.

Case No. 14-11117

EQUABLE ASCENT FINANCIAL, LLC, and
VELOCITY PORTFOLIO GROUP,

Defendants.

**ORDER DENYING PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT AND MOTION
TO SET ASIDE STIPULATION AND ORDER**

On August 5, 2014, the court entered an order denying as moot Plaintiff's motion for extension of summons, noting that because Defendants were served on July 10, 2014, an extension of summons was unnecessary. This same day, Plaintiff filed a motion for default judgment, arguing that because Defendant Equable Ascent Financial had failed to answer by July 31, 2014, it was in default. Later that day, based on the parties' agreement, the court issued a stipulated order extending Defendants' time to respond to Plaintiff's complaint to August 21, 2014. In her motion to set aside the stipulated order, Plaintiff admits that on July 30, 2014, she agreed to allow Defendants an additional 21 days to respond to her complaint. It was reasonable for Defendants to rely on this oral agreement, and file the stipulated order after the intervening weekend. Plaintiff's motions for default judgment and to set aside the stipulated order will therefore be denied.

Service of process should be a relatively straightforward and uncomplicated matter. It does not need to be complicated through further motion practice. It is unwise to unreasonably and unnecessarily multiply the proceedings. Accordingly,

IT IS ORDERED that Plaintiff's "Motion for Default Judgment" (Dkt. # 14) is DENIED.

IT IS FURTHER ORDERED that Plaintiff's "Motion to Set Aside Stipulation and Order" (Dkt. # 17) is DENIED.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 13, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 13, 2014, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522